

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF
Arabshahi Minor Subdivision ; TPM 21136, S09-003, ER 08-08-021

September 1, 2009

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The project will obtain its water supply from the Valley Center Municipal Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Steep Slope section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Discussion:

Wetland and Wetland Buffers:

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe:

The project is not located near any floodway or floodplain fringe area as defined in the resource protection ordinance, nor is it near a watercourse which is plotted on any official County floodway or floodplain map.

Steep Slopes:

The average slope for the property is less than 15 percent gradient. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats:

No sensitive habitat lands were identified on the site as determined on a site visit conducted by Ashley Gungle on September 11, 2008. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites:

Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs by County of San Diego staff archaeologist, Diane Shalom, it has been determined that the project site does not contain any archaeological resources. The property is completely disturbed by a nursery, retail shop, and single family residence (built in the 1980s). In addition, the project must comply with the San Diego County Grading, Clearing, and Watercourse Ordinance (§87.101-87.804), CEQA §15064.5(d), and §7050.5 of the Health & Safety Code. Section 87.429 of the Grading, Clearance, and Watercourse Ordinance requires the suspension of grading operations when human remains or Native American artifacts are encountered.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES

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NO

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NOT APPLICABLE

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Discussion:

The Stormwater Management Plan dated April 28, 2009, prepared by Maha Arabshahi, and submitted on April 30, 2009, has been accepted as complete and in compliance with the WPO.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES

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NO

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NOT APPLICABLE

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Discussion:

Even though the proposal could generate potentially significant noise levels (i.e., in excess of the County General Plan or Noise Ordinance), the following noise mitigation measures are proposed to reduce the noise impacts to applicable limits: a noise easement over Parcels 1 and 2 and a permanent sound barrier.

The project consists of a two parcel residential subdivision located within the North County Metro Subregional Plan Area. Parcel 2 currently occupies an existing residential structure that is to remain. No changes are proposed in regards to the existing residence. Primary noise sources within the project vicinity include future traffic noise from Interstate 15 and North Centre City Parkway with minor noise contribution from nearby off-ramps. The project subdivision is subject to the County Noise Element, Policy 4b, which requires proposed exterior Noise Sensitive Land Uses (NSLU) to be 60 dBA CNEL. Additionally, the project requires the proposed parcel to identify at least 10% of the net lot respectively. Calculations show that the future noise environment at

the proposed subdivision will be exposed to noise levels greater than 60 dBA CNEL. Parcel 2 occupies an existing residential use which was previously approved and no changes are associated with this existing use. Noise recommendations and design features are not required for this existing residential structure at this time. However, the future 60 dBA CNEL contour covers the entire area of both parcels and staff will require a noise protection easement to be dedicated. Parcel 1 proposes a single family residential use and is subject to the exterior 60 dBA CNEL. Future noise levels at the exterior area on Parcel 1 is anticipated to be as high as 70 dBA CNEL. Mitigation in the form of a permanent sound barrier will be required to reduce noise levels to exterior NSLU on Parcel 1. The preliminary grading plans identify the location of the building envelope on Parcel 1 and the required noise mitigation recommendations would be to install two L-shaped wing walls as a continuation of the proposed residential structure. The first wing wall will be located on the north facade of the proposed residential structure running north for 28 feet with a return towards the eastern direction extending for 52 feet. The second wing wall will be installed starting at the southern facade of the proposed residential structure running south for 60 feet with a return wall extending 52 feet to the east. The permanent sound barriers (wing walls) shall be constructed to a minimum height of 7 ½ feet and constructed to be solid using masonry, wood plastic, fiberglass, steel, or a combination of these materials, with no cracks or gaps have a minimum density of 3 ½ pounds per square foot. Please refer to Section 5.1 Exterior within the Acoustical Analysis Report for sound barrier details and recommendations. The exterior NSLU on Parcel 1 will be shielded by the proposed residential structure and sound barrier design reducing future traffic noise levels to 59.2 dBA CNEL and below.

The project subdivision is also subject to the construction noise section with the County Noise Ordinance. Base on the noise report, the building pad on Parcel 1 has already been prepared and the residence on Parcel 2 currently exists with no proposed changes and/or additions. There will be little site preparation associated with the project subdivision and it has been determined that temporary construction noise levels will comply with the County Noise Ordinance. Therefore, incorporation of a Noise Protection Easement dedication to both parcels and utilizing the proposed residential structure on Parcel 1 with sound barriers will ensure the project will comply with County noise standards.